

REMARKS

In the outstanding Office Communication, the Examiner indicated that, because the Response to Restriction Requirement filed January 15, 2004 failed to include a complete listing of all of the claims in the pending application, the Response was non-compliant under 37 C.F.R. § 1.21. However, Applicants did not submit a listing of claims with the January 15th response because the election of Group I was with traverse.

The Office Action dated December 15, 2003 set forth a requirement under 35 U.S.C. § 121 restricting Applicants to one of the following inventions:

- I. Claims 1-33 and 36, drawn to a method, system, and computer program product for generating coordinates of corresponding building blocks, classified in class 702, subclass 19 and 22.
- II. Claims 34, 35, and 37, drawn to a method for analyzing a combinatorial library, classified in class 702, subclass 19 and 22.

As required by 37 C.F.R. § 1.143, Applicants, elected Group I, claims 1-33 and 36, drawn to a method, system, and computer program product for generating coordinates of corresponding building blocks. This election was with traverse, however, because both criteria for a proper requirement had not been met insofar as the consideration of these groups together would not impose an undue burden on the Examiner. Thus, Applicants respectfully requested prompt action on the merits of the elected claims of Group I, as well as the non-elected claims of Group II. Applicants respectfully assert, therefore, that the January 15th Response to Restriction Requirement was in compliance with 37 C.F.R. § 1.121.

Nevertheless, in response to the pending Office Communication, Applicants have cancelled the non-elected claims, specifically claims 34, 35, and 37. Additionally, since the Examiner has not yet addressed Applicants traversal of the restriction requirement set forth in the January 15th Response, Applicants reiterate their request for prompt action on the merits of both the elected claims of Group I, as well as non-elected claims of Group II.

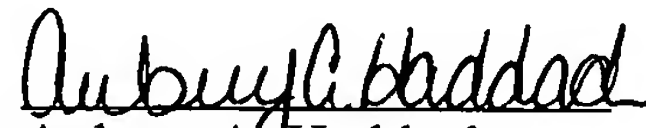
CONCLUSION

The shortened statutory period for reply expires on February 23, 2004, therefore Applicants believe this response is timely filed and no additional fee is due. However, in the event that any additional fees are required for the filing of this response, please charge such fees to Deposit Account No. 50-2212, Order Number 044988.030.4668.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully Submitted,

Date: February 3, 2004


Aubrey A. Haddach
Reg. No. 48,374

Pillsbury Winthrop LLP
11682 El Camino Real
Suite 200
San Diego, CA 92130-2092
Phone: 858.847.4189
Fax: 858.509.4010